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Gabriel Daemon Engel

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EXAMINER

NGUYEN, KEVIN M

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/049,272	Applicant(s) ENGEL ET AL.	
	Examiner KEVIN M. NGUYEN	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 84-131 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 84-131 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/12/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

Request for Continued Examination

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/11/2008 has been entered. An action on the RCE follows:

Claims 84, 96, 108 are amended. Claims 120-131 are added. Thus, claims 84-131 are pending. The applicant's remarks see pages 11-14 with respect to the amendment have been fully considered, the previous rejections stand withdrawn. Upon further consideration, new grounds of rejection are made in view of Armstrong et al. (US 5,729,219.), Sullivan (US 6,100,862), and Hinami et al. (US 6,468,157.)

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 108-119 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, since the claimed invention is not supported by either “a computer-

Art Unit: 2629

usable medium..." asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **84, 85, 86, 94-98, 106, 107, 120-123, 126, 127, 130 and 131** are rejected under 35 U.S.C. 103(a) as being unpatentable over Armstrong et al. (US 5,729,219, **Armstrong**) in view of Applicant Admitted Prior Art (AAPA.)

1. **As to claims 84, Armstrong** teaches a system comprising: a single display device (5, fig. 5) comprising:

a first display screen; and (a touch screen 22, col. 3, lines 11-12; fig. 5)

a second display screen overlapping said first display screen, (a display screen 18, col. 4, lines 5-6; fig. 5.)

a user interface component for selecting at least one display screen for responding to an input, and wherein at least one display screen comprises a display screen selected from a group consisting of said first and second display screens (a point 44 is mapping to a pointer 26, which is used to select either the touch screen 22 or the display screen 18, col. 4, lines 54-67; fig. 5.)

Armstrong fails to teach wherein said second display screen is partially transparent.

AAPA conventionally discloses a foreground screen is a transparent portion, page 1, lines 15-16, which corresponding to said second display screen is partially transparent as claimed.

Thus, it would have been obvious to a person of ordinary skill at the time the invention was made to modify the display screen 18 of Armstrong to become partially transparent as conventionally disclosed by AAPA. The motivation for doing so would allow viewers to see images displayed on the background screen.

As to claim 85, the system of claim 84, wherein said user interface component comprises at least one is selected from a group consisting of a mouse. (In the background of the invention, Armstrong conventionally discloses a mouse, col. 1, lines 21-24).

As to claim 86, the system of claim 84, wherein said user interface component comprises a touchscreen. (Armstrong teaches the touchscreen 22, fig. 5.)

As to claim 94, the system of Claim 84, wherein said input comprises a user input. (Armstrong teaches that the point 44 is mapping to the pointer 26 corresponding to a user input as claimed, col. 4, lines 54-67; fig. 5.)

As to claim 95. the system of Claim 94, wherein said user input comprises an input to said user interface component. (Armstrong teaches that the touch screen 22 is the point 44 mapping to the pointer 26, col. 4, lines 54-67; fig. 5.)

2. As to **claim 96**, figure 5 of **Armstrong** teaches a method of controlling display screen selection in a single display device (10), said method comprising:

detecting a first input to a user interface component; (the touch screen 22 detects the input of the fingertip 42, col. 3, lines 11-12; fig. 5.)

determining at least one display screen of said single display device associated with said first input, (the touch screen 22 of the single display device 10 associated with the first input of the point 44, col. 4, lines 54-67; fig. 5.)

selecting said at least one display screen of said multi-component display for responding to a second input. (A second input of the pointer 26 is selected on the display screen 18, col. 4, lines 54-67; fig. 5.)

Armstrong fails to teach wherein said single display device comprises a plurality of overlapping display screens, and wherein at least one of said plurality of overlapping display screens is partially transparent.

AAPA conventionally discloses that a single display device comprise a foreground screen is overlapping the background screen. The foreground screen is a transparent portion, page 1, lines 9-16, which corresponding to said display screen is partially transparent as claimed.

Thus, it would have been obvious to a person of ordinary skill at the time the invention was made to modify the display screen 18 of Armstrong to become partially transparent as conventionally disclosed by AAPA. The motivation for doing so would allow viewers to see images displayed on the background screen.

As to claim 97, the method of Claim 96, wherein said user interface component is selected from a mouse. (In the background of the invention, Armstrong conventionally discloses the mouse, col. 1, lines 21-24).

Claim 98 shares the same limitations as those of claim 86 and therefore the rationale for rejection will be the same.

Claim 106 shares the same limitations as those of claim 94 and therefore the rationale for rejection will be the same.

Claim 107 shares the same limitations as those of claim 95 and therefore the rationale for rejection will be the same.

3. As to **claim 120**, in the alternate embodiment, figure 5 of **Armstrong** teaches an integrated display system (10) comprising:

a first display screen comprising a first display portion, (a touch screen 22, col. 3, lines 11-12. Fig. 5 shows that the isometric projection of the touch screen 22 and the display screen 18 overlap for a first display portion.)

a second display screen comprising a second display portion, and (a display screen 18, col. 4, lines 4-5. Fig. 5 shows that the isometric projection of the display screen 18 and the touch screen 22 overlap for a second display portion.)

wherein said first display portion and said second display portion overlap; and

(the display screen 18 overlaps the touch screen 22, fig. 5.)

a user interface component for selecting at least one display screen as a selected display screen for responding to an input, and wherein said selected display screen comprises a display screen selected from a group consisting of said first and second display screens. (A point 44 is mapping to a pointer 26, which is used to select either the touch screen 22 or the display screen 18, col. 4, lines 54-67; fig. 5.)

Armstrong fails to teach wherein said first display screen is partially transparent, and wherein said second display screen is partially transparent.

AAPA conventionally discloses that a single display device comprise a foreground screen is overlapping the background screen. The foreground screen is a transparent portion, page 1, lines 9-16, which corresponding to said display screen is partially transparent as claimed.

Thus, it would have been obvious to a person of ordinary skill at the time the invention was made to modify the display screen 18 of Armstrong to become partially transparent as conventionally disclosed by AAPA. The motivation for doing so would allow viewers to see images displayed on the background screen.

As to claim 121, the system of Claim 120, wherein user interface is further operable to move a graphical object displayed on said first display portion of said first display screen to said second display portion of said second display screen. (Armstrong further teaches that the displayed point 44 moves to the pointer 26 of the display screen 18, col. 4, lines 54-67; fig. 5.)

As to claim 122, the system of Claim 121, wherein said input is further operable to move said graphical object on said second display screen. (Armstrong further teaches that the displayed point 44 moves to the pointer 26 of the display screen 18, col. 4, lines 54-67; fig. 5.)

As to claim 123, the system of Claim 121, wherein said graphical object is selected from a group consisting of a cursor, an icon and an image. (Armstrong teaches the point 44 is a cursor.)

As to claim 126, the system of Claim 120, wherein said user interface component is selected from a group consisting of a mouse. (In the background of the invention, Armstrong conventionally discloses the mouse, col. 1, lines 21-24).

As to claim 127, the system of Claim 120, wherein said user interface component comprises a touchscreen. (Armstrong teaches the touchscreen 22, fig. 5.)

As to claim 130, the system of Claim 120, wherein said input comprises a user input. (Armstrong teaches that the point 44 is mapping to the pointer 26 corresponding to a user input as claimed, col. 4, lines 54-67; fig. 5.)

As to claim 131, the system of Claim 130, wherein said user input comprises an input to said user interface component. (Armstrong teaches that the touch screen 22 is the point 44 mapping to the pointer 26, col. 4, lines 54-67; fig. 5.)

4. Claims 87-93, 99-105, 124, 125, 128 and 129 are rejected under 35 U.S.C. 103(a) as being unpatentable over Armstrong in view of AAPA, and further in view of Wilks et al. (US 6,246,407, Wilks).

As to claim 87, Armstrong and AAPA teach all of the limitation of claim 84, except for said user interface component comprises a pen. (Wilks teaches said user input device is a pen, see col. 3, line 47. Thus, it would have been obvious to a person of ordinary skill at the time the invention was made to modify the touch screen 18 of Armstrong to be touched by pen as disclosed by Wilks. The motivation for doing so would allow the operator to use variable input devices.)

As to claim 88, Armstrong teaches all of the limitation of claim 84, except for said user interface component is further for enabling selection of said at least one display screen in response to a sound. (Col. 1, lines 18-24, and lines 40-50 of Wilks reviews a GUI is in focus and addressed in some manner such as point and click. And additional information such as a video game, which inherently has a sound. The GUI such as a video game is selected by pointing and clicking in response to a sound. Thus, it would have been obvious to a person of ordinary skill at the time the invention was made to modify the touch screen 18 of Armstrong to be touched by

pen as disclosed by Wilks. The motivation for doing so would allow operator to use the input device and hear the sound that same time.)

As to claim 89, Armstrong teaches all of the limitation of claim 84, except for said user interface component is operable to transition a display of a graphical object to said at least one selected display screen. Wilks teaches the transition from one state to the other may be done in multiple steps range from 2 to several hundred steps, linearly. (see col. 4, lines 35-37).

As to claim 90, the system of claim 89, wherein said input is operable to adjust said display of said graphical object on said at least one elected display screen. (Wilks teaches windows being adjusted in size, col. 2, lines 65-66).

As to claim 91, the system of claim 89, wherein said graphical object is selected from a cursor. (Armstrong teaches the pointer 26, fig. 5.)

As to claim 92, the system of Claim 89, wherein said graphical object is associated with a gaming application. (Wilks reviews said graphic object is associated with a video game application, col. 1, lines 40-50.)

As to claim 93, the system of claim 89, wherein said graphical object is selected from a group consisting of a graphical object associated with a drawing application and a graphical object associated with a graphical application. (Wilks teaches in col. 3, lines 5-18.)

Claim 99 shares the same limitations as those of claim 87 and therefore the rationale for rejection will be the same.

Claim 100 shares the same limitations as those of claim 88 and therefore the rationale for rejection will be the same.

Claim 101 shares the same limitations as those of claim 89 and therefore the rationale for rejection will be the same.

Claim 102 shares the same limitations as those of claim 90 and therefore the rationale for rejection will be the same.

Claim 103 shares the same limitations as those of claim 91 and therefore the rationale for rejection will be the same.

Claim 104 shares the same limitations as those of claim 92 and therefore the rationale for rejection will be the same.

Claim 105 shares the same limitations as those of claim 93 and therefore the rationale for rejection will be the same.

As to claim 124, the system of claim 121, wherein said graphical object is associated with a gaming application. (Wilks reviews said graphic object is associated with a video game application, col. 1, lines 40-50.)

As to claim 125, the system of claim 121, wherein said graphical object is selected from a group consisting of a graphical object associated with a drawing application and a graphical object associated with a graphical application. (Wilks teaches in col. 3, lines 5-18.)

As to claim 128, the system of claim 120, wherein said user interface component is selected from a group consisting of a pen. (Wilks teaches said user input device is a pen, see col. 3, line 47.)

As to claim 129, the system of claim 120, wherein said user interface component is further for enabling selection of said at least one display screen in response to a sound. (Col. 1, lines 18-24, and lines 40-50 of Wilks reviews a GUI is in focus and addressed in some manner

such as point and click. And additional information such as a video game, which inherently has a sound. The GUI such as a video game is selected by pointing and clicking in response to a sound. Thus, it would have been obvious to a person of ordinary skill at the time the invention was made to modify the touch screen 18 of Armstrong to be touched by pen as disclosed by Wilks. The motivation for doing so would allow operator to use the input device and hear the sound that same time.)

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- a. When the interpretation of the claim(s) is or may be in dispute, i.e., given one interpretation, a rejection under 35 U.S.C. 102 is appropriate and given another interpretation, a rejection under 35 U.S.C. 103(a) is appropriate.
- b. When the reference discloses all the limitations of a claim except a property or function, and the examiner cannot determine whether or not the reference inherently possesses properties which anticipate or render obvious the claimed invention but has basis for shifting the burden of proof to applicant as in *In re Fitzgerald*, 619 F.2d 67, 205 USPQ 594 (CCPA 1980).

Claims **84-86, 89-91, 93-98, 101-103, 105-107, 120-123, 126, 127, 130 and 131** are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Sullivan (US 6,100,862)**.

5. **As to claims 84**, in the alternate embodiments, **Sullivan** teaches a system comprising: a single display device (10, fig. 1) comprising:

a first display screen; and (a bottom display screen 40, col. 9, line 58-60; col. 10, lines 55-67; fig. 6)

a second display screen overlapping said first display screen, (a top display screen 42, col. 9, line 58-60; col. 10, lines 55-67; fig. 7.)

wherein said second display screen is partially transparent; and (col. 10, lines 57-59.)

a user interface component for selecting at least one display screen for responding to an input, and wherein at least one display screen comprises a display screen selected from a group consisting of said first and second display screens (col. 19, lines 67 to col. 20, lines 7.)

As to claim 85, the system of claim 84, wherein said user interface component comprises at least one is selected from a group consisting of a mouse. (Sullivan discloses 3D mouse, col. 19, lines 66-67).

As to claim 86, the system of claim 84, wherein said user interface component comprises a touchscreen. (Sullivan teaches in col. 19, lines 17-21; and col. 20, lines 19-20.)

As to claim 89, the system of claim 84, wherein said user interface component is operable to transition to display of a graphical object to said at least one selected display screen. (Sullivan further teaches that the graphical object 86 is operable to transition to the top display screen 88, col. 19, line 66 to col. 20, line 7; fig. 7.)

As to claim 90, the system of Claim 89, wherein said input is operable to adjust said display of said graphical object on said at least one selected display screen. (Sullivan teaches in col. 19, lines 58-65.)

As to claim 91, the system of claim 89, wherein said graphical object is selected from a cursor. (Sullivan teaches 3D cursor, col. 20, line 7.)

As to claim 93, the system of Claim 89, wherein said graphical object is selected from a group consisting of a graphical object associated with a drawing application and a graphical object associated with a graphical application. (Sullivan teaches in col. 20, lines 39-44.)

As to claim 94, the system of claim 84, wherein said input comprises a user input.
(Sullivan discloses the user input, col. 19, line 66 to col. 20, line 7.).

As to claim 95, the system of claim 94, wherein said user input comprises an input to said user interface component. (Sullivan discloses the user input, col. 19, line 66 to col. 20, line 7.).

6. As to **claim 96**, in the alternate embodiments, figure 1 of **Sullivan** teaches a method of controlling display screen selection in a single display device (10), said method comprising:

detecting a first input to a user interface component; (the 3D mouse device detects the input of a graphical object 86, col. 19, line 66 to col. 20, line 7; fig. 6.)

determining at least one display screen of said single display device associated with said first input, (the 3D mouse device determines the first input of the graphical object 86, col. 19, line 66 to col. 20, line 7; fig. 6.)

wherein said single display device comprises a plurality of overlapping display screens, and wherein at least one of said plurality of overlapping display screens is partially transparent; and (col. 10, lines 55-62.)

selecting said at least one display screen of said multi-component display for responding to a second input. (The 3D mouse device determines the second input of the graphical object 88, col. 19, line 66 to col. 20, line 7; fig. 7.)

As to claim 97, the method of Claim 96, wherein said user interface component is selected from a mouse. (Sullivan discloses 3D mouse, col. 19, lines 66-67).

Claim 98 shares the same limitations as those of claim 86 and therefore the rationale for rejection will be the same.

Claim 101 shares the same limitations as those of claim 89 and therefore the rationale for rejection will be the same.

Claim 102 shares the same limitations as those of claim 90 and therefore the rationale for rejection will be the same.

Claim 103 shares the same limitations as those of claim 91 and therefore the rationale for rejection will be the same.

Claim 105 shares the same limitations as those of claim 93 and therefore the rationale for rejection will be the same.

Claim 106 shares the same limitations as those of claim 94 and therefore the rationale for rejection will be the same.

Claim 107 shares the same limitations as those of claim 95 and therefore the rationale for rejection will be the same.

7. As to **claim 120**, in the alternate embodiments, figure 1 of **Sullivan** teaches an integrated display system (10) comprising:

a first display screen comprising a first display portion, (a bottom display screen 40, col. 9, lines 59-60, col. 10, lines 63-67; fig. 6. Fig. 6 shows that the isometric projection of the bottom display screen 40 and the top display screen 42 overlap for a first display portion.)

wherein said first display screen is partially transparent; (col. 10, lines 63-67)

a second display screen comprising a second display portion, and (a top display screen col. 9, lines 59-60, col. 10, lines 63-67; fig. 7. Fig. 7 shows that the isometric projection of the top display screen 42 and the bottom display screen 40 overlap for a first display portion.)

wherein said second display screen is partially transparent; and (col. 10, lines 63-67)

wherein said first display portion and said second display portion overlap; and (the display screen 42 overlaps the display screen 40, fig. 7.)

a user interface component for selecting at least one display screen as a selected display screen for responding to an input, and wherein said selected display screen comprises a display screen selected from a group consisting of said first and second display screens. (Col. 19, lines 67 to col. 20, lines 7.)

As to claim 121, the system of claim 120, wherein user interface is further operable to move a graphical object displayed on said first display portion of said first display screen to said second display portion of said second display screen. (Sullivan further teaches that the graphical object 86 moves the top display screen 88, col. 19, line 66 to col. 20, line 7; fig. 7.)

As to claim 122, the system of claim 121, wherein said input is further operable to move said graphical object on said second display screen. (Sullivan further teaches that the graphical object 86 moves the top display screen 88, col. 19, line 66 to col. 20, line 7; fig. 7.)

As to claim 123, the system of claim 121, wherein said graphical object is selected from a group consisting of a cursor, an icon and an image. (Sullivan teaches 3D cursor, col. 20, line 7.)

As to claim 126, the system of claim 120, wherein said user interface component is selected from a group consisting of a mouse. (Sullivan teaches 3D mouse, col. 19, lines 66-67).

As to claim 127, the system of claim 120, wherein said user interface component comprises a touchscreen. (Sullivan teaches in col. 19, lines 17-21; and col. 20, lines 19-20.)

As to claim 130, the system of claim 120, wherein said input comprises a user input. (Sullivan discloses the user input, col. 19, line 66 to col. 20, line 7.).

As to claim 131, the system of claim 130, wherein said user input comprises an input to said user interface component. (Sullivan discloses the user input, col. 19, line 66 to col. 20, line 7.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **88, 92, 100, 104, 124 and 129** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan in view of **Hinami** et al. (US 6,468,157, **Hinami**).

As to claim 88, Sullivan teaches all of the limitation of claim 84, except for said user interface component is further for enabling selection of said at least one display screen in response to a sound.

Hinami teaches a game controller 2b, fig. 1, is selected of a top display screen "a sky screen", fig. 3, in response to a sound, col. 5, lines 30-32.

Thus, it would have been obvious to a person of ordinary skill at the time the invention was made to modify Sullivan to have the sound effect as taught by Hinami. The motivation for doing so would allow operator to use the input device and hear the sound that same time.

As to claim 92, the system of claim 89, wherein graphical object is associated with a gaming application. (Hinami teaches in col. 5, lines 15-20.)

Claim 100 shares the same limitations as those of claim 88 and therefore the rationale for rejection will be the same.

Claim 104 shares the same limitations as those of claim 92 and therefore the rationale for rejection will be the same.

Claim 124 shares the same limitations as those of claim 88 and therefore the rationale for rejection will be the same.

Claim 129 shares the same limitations as those of claim 92 and therefore the rationale for rejection will be the same.

8. Claims 87, 99 and 128 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan in view of Wilks et al. (US 6,246,407, Wilks).

As to claim 87, Sullivan teaches all of the limitation of claim 84, except for said user interface component comprises a pen. Wilks teaches said user input device is a pen, see col. 3, line 47. Thus, it would have been obvious to a person of ordinary skill at the time the invention was made to modify the touching input of Sullivan to be touched by pen as disclosed by Wilks. The motivation for doing so would allow the operator to use variable input devices.

Claim 99 shares the same limitations as those of claim 87 and therefore the rationale for rejection will be the same.

Claim 128 shares the same limitations as those of claim 87 and therefore the rationale for rejection will be the same.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN M. NGUYEN whose telephone number is (571)272-7697. The examiner can normally be reached on MON-THU from 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H. Shalwala can be reached on (571)272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KEVIN M. NGUYEN/
Primary Examiner, Art Unit 2629